Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM - MSW, WQ

Small Business:

No

Location(s) Where Violation(s) Occurred:

City of Hale Center WWTF, located approximately 2,640 feet south of Hale Center and 3,600 feet east of IH-27, Hale County

Type of Operation:

Wastewater treatment facility and disposal site

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 24, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$65,363

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$65,363

Total Paid to General Revenue: \$0 Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - High Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: October 31, 2013 Date(s) of NOE(s): December 6, 2013

Violation Information

- 1. Failed to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures. Specifically, the 201 Sunset Drive, 13th Street and J Avenue, High Line Road, and 600 East 1st Street lift stations are not equipped with a quick-connect plug-in to accept a backup power supply [30 Tex. Admin. Code § 305.125(5) and TCEQ Permit No. WQ0010030001, Operational Requirements No. 4].
- 2. Failed to submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Specifically, two Imhoff tanks were abandoned and filled with soil. No closure plan was submitted prior to the closure of the treatment units [30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0010030001, Operational Requirements No. 3.b.].
- 3. Failed to submit the annual sludge report for the monitoring periods ending July 31, 2011, July 31, 2012, and July 31, 2013. Specifically, the annual sludge report for the monitoring periods ending July 31, 2011, July 31, 2012, and July 31, 2013 were not submitted to the Compliance Monitoring Team of the Enforcement Division and the TCEQ Lubbock Regional Office by September 1 of each year [30 Tex. Admin. Code § 305.125(1) and (17) and TCEQ Permit No. WQ0010030001, Sludge Provisions].
- 4. Failed to to properly dispose of sludge. Specifically, several piles of sludge, removed from the Imhoff tanks, were scattered on the ground at the wastewater treatment area [30 Tex. Admin. Code § 312.4(a) and TCEQ Permit No. WQ0010030001, Sludge Provisions].
- 5. Failed to accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows by a trained person at Facility start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually. Specifically, the flow meter installed within a vault on the influent conveyance line north of the facultative lagoon had not been calibrated [30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0010030001, Monitoring Requirements No. 5].

- 6. Failed to monitor effluent at the intervals specified in the permit. Specifically, the Respondent failed to collect and analyze effluent samples for five-day biochemical oxygen demand and pH for the monitoring periods ending October 31, 2012 through April 18, 2013 [30 Tex. Admin. Code §§ 305.125(1) and 319.5(b) and TCEQ Permit No. WQ0010030001, Monitoring Requirements No. 1].
- 7. Failed to submit the results of the annual soil sample analysis to the TCEQ at the intervals specified in the permit. Specifically, the results of the annual soil sample analysis for 2013 were not submitted to the TCEQ Lubbock Regional Office by the end of September 2013 [30 Tex. ADMIN. CODE § 305.125(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 8].
- 8. Failed to meet the buffer zone requirements of a minimum horizontal distance of 150 feet from private water wells to the land application area. Specifically, two water wells were located within 10 feet of the land application area [30 Tex. Admin. Code § 309.13(c)(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 21].
- 9. Failed to properly report groundwater monitoring events in accordance with the Groundwater Monitoring Plan approved on January 17, 2006. Specifically, the groundwater monitoring reports for March and September 2011, March and September 2012, and March 2013 were not submitted to the TCEQ Lubbock Regional Office and the Water Quality Assessment Team and the report for March 2013 was not timely submitted to the Compliance Monitoring Section; the reports for March and September 2011, March and September 2012, and March 2013 did not include water level measurements, copies of the laboratory reports, quality assurance/quality control information, a potentiometric surface map, or analysis of the results; and the groundwater monitoring report for September 2013 was not available for review [30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 9].
- 10. Failed to prevent the unauthorized disposal of municipal solid waste ("MSW"). Specifically, approximately 1,500 cubic feet of MSW was disposed of on the Facility grounds [30 Tex. Admin. Code § 330.15(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Immediately upon the effective date of this Agreed Order, cease disposing of MSW on the Facility grounds;
- b. Within 30 days:
- i. Provide adequate safeguards at all lift stations to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of adequately treated wastewater;
- ii. Submit a plan and schedule for the closure of the two abandoned Imhoff tanks;
- iii. Submit the annual sludge reports for the monitoring periods ending July 31, 2011 through July 31, 2013;
- iv. Update the Facility's operational guidance and conduct employee training to ensure that:
- 1. Effluent is monitored at the intervals specified in the permit;
- 2. Self-reporting requirements are properly accomplished including the timely submittal of annual sludge reports;
- 3. Soil and groundwater monitoring results are properly conducted and submitted at the intervals specified in the permit; and
- 4. Implement procedures to properly dispose of sludge.
- v. Remove and properly dispose of sludge and MSW from the Facility grounds and dispose of it at an authorized facility;
- vi. Accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows; and
- vii. Submit the annual soil sample analysis results for 2013 to the TCEQ.

- c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the closure plan and schedule for the two abandoned Imhoff tanks within 30 days after the date of such requests or by any other deadline specified in writing.
- d. Within 45 days, submit written certification of compliance with a. and b.
- e. Within 180 days, ensure that the required buffer zone distance of 150 feet from the private water wells is met.
- f. Within 195 days, submit written certification of compliance with e.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Caleb Olson, Enforcement Division, Enforcement

Team 1, MC 169, (512) 239-2541; Michael Parrish, Enforcement Division, MC 219,

(512) 239-2548

TCEQ SEP Coordinator: N/A

Respondent: The Honorable Eugene Carter, Mayor, City of Hale Center, P.O. Box

532, Hale Center, Texas 79041

Dennis Burton, City Manager, City of Hale Center, P.O. Box 532, Hale Center, Texas

79041

Respondent's Attorney: N/A

Policy Davidor 2 (C	Penalty Calcu	lation	Worksheet (PC	,	
Policy Revision 3 (S	eptember 2011)	·	-	PCW Revisio	on August 3, 2011
DATES Assigned	9-Dec-2013				
PCW		00-2012	EDA Dua	1	
3		GC-Z013	EPA Due		
RESPONDENT/FACILI				·	
Respondent	City of Hale Center	-			
Reg. Ent. Ref. No. Facility/Site Region	KN1019185/0				
carmrist sine kediou	Z-LUDDOCK.		Major/Minor Source	Minor	
CASE INFORMATION				*****	
Enf./Case ID No.	48080		No. of Violations	10	 1
	2014-0019-MLM-E		Order Type		
Media Program(s)		***************************************	Government/Non-Profit		
Multi-Media	Municipal Solid Waste		Enf. Coordinator	Christopher Bost	
Admin Danalis + 1			EC's Team	Enforcement Team	1 1
Admin. Penalty \$ 1	Limit Minimum \$0 Maxir	mum	\$25,000		
,	D U	. 1			
	Penalty Ca	aiculati	on Section		
TOTAL BASE PENA	LTY (Sum of violation base	penalti	es)	Subtotal 1	\$72,625
			,*		7. 2/22
トラー・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・	/-) TO SUBTOTAL 1 ptained by multiplying the Total Base Penalty (/Cubbat-1411	hara tahun dari dari aran dari dari dari dari dari dari dari dari		
Compliance His	Story	(300001311) -10 00%			15.55
	A. zamenos, p. s.	AU.U70	Emancement Subtot	tals 2, 3, & 7	-\$7,262
Notes	Reduction for High Pe	erformer C	lassification.		
·					
Culpability	No	0.0%	Enhancement	Subtated 4	4=1
, ,		·		Subtotal 4	\$0
. Notes	The Respondent does not r	neet the c	ulpability criteria.		
}					
Good Faith Fffe	ort to Comply Total Adjustments			- · · ·	
. — www.i within will				Subtotal 5	\$0
Economic Bene			hancement*	Subtotal 6	\$0
· Approx.	Total EB Amounts \$3,166 Cost of Compliance \$15,730	*Capped a	it the Total EB \$ Amount	h	
	\$10,700				
SUM OF SUBTOTAL	.S 1-7		Fi	nal Subtotal	\$65,363
				Subtotal	600,000
OTHER FACTORS A	S JUSTICE MAY REQUIRE		- 0.0%	Adjustment	\$0
Reduces or enhances the Final !	Subtotal by the Indicated percentage.				49
Notes					
Notes					
L		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	pro 8		
			rinai Pena	olty Amount	\$65,363
STATUTORY LIMIT	ADJUSTMENT		Final Asses	cod Donalta	est ses
	•		rniai ASSesi	эеи Репаку	\$65,363
DEFERRAL			20.0% Reduction	Adjustment	-\$13,072
Reduces the Final Assessed Pen	alty by the indicated percentage. (Enter num	ber only; e.g	. 20 for 20% reduction.)	nujustinent [913,072
Notes	Deferral offered for ex	xpedited s	ettlement.		
L					
PAYABLE PENALTY					
PATABLE PENALLY					\$52.201

\$52,291

Audits

>> Final Compliance History Adjustment

disclosed)

Docket No. 2014-0019-MLM-E

PCW

Policy Revision 3 (September 2011) PCW Revision August 3, 2011

0

Final Adjustment Percentage *capped at 100% -10%

0%

Case ID No. 48080 Reg. Ent. Reference No. RN101918670 Media [Statute] Water Quality

Respondent City of Hale Center

Enf. Coordinator Christopher Bost

1995 (number of audits for which notices were submitted)

Component	Number of,	Enter Number Here	Adjust
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature,	0	0%

Please Enter Yes or No Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director under a special assistance program No 0% Other Participation in a voluntary pollution reduction program No 0% Early compliance with, or offer of a product that meets future state or federal 0% No government environmental requirements

Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were

		Adjustment Percentage (Subtotal 2)	
>>	Repeat Violator (Subtota	To parameter)%
	No	Adjustment Percentage (Subtotal 3))%
>>	Compliance History Pers	on Classification (Subtotal 7)	
	High Performer	Adjustment Percentage (Subtotal 7) -1	0%
>>	Compliance History Sumi	nary	
	Compliance History Notes	Reduction for High Performer Classification.	
	<u> </u>	Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)	0%

Respondent City of Hale Center Policy Revision 3 (September 2011) Case ID No. 48080 PCW Revision August 3, 2011 Reg. Ent. Reference No. RN101918670 Media [Statute] Water Quality Enf. Coordinator Christopher Bost Violation Number Rule Cite(s) 30 Tex. Admin. Code § 305.125(5) and Texas Commission on Environmental Quality ("TCEQ") Permit No. WQ0010030001, Operational Requirements No. 4 Failed to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures, as documented during an investigation conducted on October 31, 2013. Specifically, the 201 Sunset Violation Description Drive, 13th Street and J Avenue, High Line Road, and 600 East 1st Street lift stations are not equipped with a quick-connect plug-in to accept a backup power supply. Base Penalty \$25,000 >> Environmental, Property and Human Health Matrix Harm Release Moderate Minor OR Actual Potential Percent 15.0% >>Programmatic Matrix Falsification Moderate Major Minor Percent 0.0% Human health or the environment will or could be exposed to pollutants which would exceed levels Matrix that are protective of human health and environmental receptors as a result of the violation. Notes Adjustment \$3,750 Violation Events Number of Violation Events Number of violation days dally weekly monthly mark only one quarterly Violation Base Penalty \$30,000 with an x semiannual annual single event Eight monthly events are recommended (2 events per lift station), calculated from the Investigation date, October 31, 2013, to the screening date, December 23, 2013. Good Faith Efforts to Comply 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary (mark with x) The Respondent does not meet the good faith criteria for Notes this violation. Violation Subtotal \$30,000 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount Violation Final Penalty Total \$27,000 This violation Final Assessed Penalty (adjusted for limits)

Docket No. 2014-0019-MLM-E

PCW

Screening Date 23-Dec-2013

	E	Jononne i	penent	AAO	rksneet		
Respondent Case ID No.	•	enter					
Reg. Ent. Reference No.	RN101918670						
	Water Quality					1	Years of
Violation No.	- ,					Percent Interest	Depreciation:
violation no.						: :	•
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment	\$450	31-Oct-2013	27-Sep-2014	0.91	\$1	\$27	\$29
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land			-	0.00	\$0	n/a=	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling		<u> </u>		0.00	\$0	n/a	\$0
Remediation/Disposal		<u> </u>	**************************************	0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)		L		0.00	\$0	n/a	\$0
Notes for DELAYED costs	Notes for DELAYED costs Notes for DELAYED costs Estimated cost to provide adequate safeguards at all lift stations to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of adequately treated wastewater. Date required is the investigation date and the final date is the estimated date of compliance.						
Avoided Costs	ANNUALI	ZE [1] avoided	costs before	enteri	ng item (except	for one-time avoid	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]	AUG-17-14-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	. \$0
Notes for AVOIDED costs							

\$450

\$29

Approx. Cost of Compliance

Screening Date 23-Dec-2013 Docket No. 2014-0019-MLM-E **PCW** Respondent City of Hale Center Policy Revision 3 (September 2011) Case ID No. 48080 PCW Revision August 3, 2011 Reg. Ent. Reference No. RN101918670 Media [Statute] Water Quality Enf. Coordinator Christopher Bost Violation Number Rule Cite(s) 30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0010030001, Operational Requirements No. 3.b Falled to submit a dosure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity, as documented during an Violation Description Investigation conducted on October 31, 2013. Specifically, two Imhoff tanks were abandoned and filled with soil. No closure plan was submitted prior to the closure of the treatment units. Base Penalty \$25,000 >> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor OR Actual Potential Percent >>Programmatic Matrix Faisification Major Moderate Minor Percent 5.0% Matrix 100% of the rule requirement was not met. Notes Adjustment (\$23,750 \$1,250 Number of Violation Events Number of violation days dally weekly monthly' mark only one guarterly Violation Base Penalty with an x \$1,250 semiannual annual single event One single event is recommended. Good Faith Efforts to Comply 0.0% Reduction \$0 NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A (mark with x) The Respondent does not meet the good faith criteria for Notes this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$601 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125

Respondent City of Hale Center Case ID No. 48080 Reg. Ent. Reference No. RN101918670

Media Water Quality

Violation No. 2

Years of Percent Interest Depreciation :

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs **EB** Amount Item Description No commas or \$

De	la	VA	A	Cn	ct	ċ
100	ıа	A C	u	·υ	20	Э,

Permit Costs Other (as needed)

Equipment Buildings Other (as needed) Engineering/construction Record Keeping System Training/Sampling Remediation/Disposal

0,00	\$0	\$0	\$0
0.00	\$0	\$0	\$0
0.00	\$0	\$0	\$0
0.00	\$0	\$0	\$0
0.00	\$0	n/a	\$0
0.00	\$0	n/a	\$0
0.00	\$0	n/a	\$0
2.40	\$601	n/a	\$601
0.00	. \$0	n/a	\$0
0.00	\$0	n/a	\$0
	0.00 0.00 0.00 0.00 0.00 0.00 0.00 2.40	0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 2.40 \$601	0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 2.40 \$601 \$0 0.00 \$0 \$0 0.00 \$0 \$0

Notes for DELAYED costs

Estimated cost to submit a closure plan for the Imhoff tanks. The date required is 90 days prior to the date the Imhoff tanks were filled and the final date is the estimated date of compliance.

Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)

ANNUALIZE [1] avoided	I costs before entering	g Item (except f	or one-time avo	ided costs)
	0.00	\$0	\$0	\$0
	0,00	\$0	\$0	\$0
	0,00	\$0	\$0	\$0
	0.00	\$0	\$0	\$0
	0.00	\$0	\$0	\$0
	0.00	\$0	\$0	60
	0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$5,000

\$601

Case ID No.	City of Hale Center 48080	Doc	ket No. 2014-0019-MLN	Policy Revision 3 (S	PCW September 2011) August 3, 2011
Reg. Ent. Reference No. Media [Statute] Enf. Coordinator Violation Number	Water Quality Christopher Bost				
Rule Cite(s)	30 Tex. Admin. Code §	305.125(1) and (17 Sludge Pri	') and TCEQ Permit No. WC ovisions	Q0010030001,	:
Violation Description	conducted on Octob monitoring periods end submitted to the Comp	and July 31, 2013, : er 31, 2013. Specifi ling July 31, 2011, Ju pliance Monitoring Te	or the monitoring periods e as documented during an i cally, the annual sludge re uly 31, 2012, and July 31, ham of the Enforcement Div by September 1 of each year	nvestigation port for the 2013 were not	
>> Environmental, Proper	ty and Human Her	alth Materix		Base Penalty	\$25,000
Release	Hari	m	चेन्हें के विकास कर प्रशिक्षित की समूच हाल है है। -	<u>학원되는</u>	
OR Actual	Major Moder	ate Minor	J		
Potential			Percent 0.6	0%	
>>Programmatic Matrix			Part of the section o		
Falsification	Major Moder	ate Minor	Percent 5.0	0%	
Matrix Notes	100% of th	ne rule requirement (was not met.		
行動機 Para Para Para Para Para Para Para Para			Adjustment	\$23,750	
Company of the contract of the					\$1,250
Violation Events					•
Number of Vi	iolation Events 3		844 Number of violati	lon days	
į.	- daily	7			
	weekly monthly				
mark only one with an x	quarterly		Violation B	Base Penalty	\$3,750
	semiannual annual				40//00
	Single event x		٠		
	Three sin	gle events are recon	nmended,		•
Good Faith Efforts to Comp	56 Q 16 100 T	0% Reduction			-
	Before No		lement Offer		\$0]
	xtraordinary Ordinary				
	N/A X	(mark with x)			
	Notes The Resp	oondent does not me this viol	et the good faith criteria fo ation,		
			Violatio	on Subtotal	\$3,750
Economic Benefit (EB) for th	nis violation		Statutory Lim		
Estimated	EB Amount	\$34	Violation Final Pe		\$3,375
	This	violation Final Ass	essed Penalty (adjusted	for limite)	#2 27E

Economic Benefit Worksheet Respondent City of Hale Center Case ID No. 48080 Reg. Ent. Reference No. RN101918670 Media Water Quality Percent Interest Depreciation Violation No. 3 5.0 15 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs **EB** Amount Item Description No commas or \$ **Delayed Costs** Equipment 0.00 \$0 Bulldings 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 \$0 \$0 Engineering/construction 0.00 \$0 \$0 \$0 Land 0.00 n/a \$0 Record Keeping System 0.00 \$0 n/a \$0 27-Sep-2014 0.91 Training/Sampling \$11 n/a \$11 Remediation/Disposal 0.00 \$0 \$0 n/a Permit Costs 0.00 _n/a \$0 \$150 Other (as needed) Estimated cost to update the Facility's operational guidance and to conduct employee training (\$250) to ensure that the annual sludge report is submitted by September 1 of each year. Date required is the investigation date and the final date is the estimated date of compliance. The other cost is the estimated Notes for DELAYED costs cost to submit the annual sludge report for the monitoring periods ending July 31, 2011 through July 31, 2013 (\$50 per report). Date required is the date the first annual sludge report was due and the final date is the estimated date of compliance. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** Disposal 0.00 \$0 \$0 Personnel 0.00 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 Supplies/equipment 0.00 \$0 \$0 Financial Assurance [2] 0.00 \$0 \$0 ONE-TIME avoided costs [3] 0.00

\$400

0.00

TOTAL

\$34

Other (as needed)

Notes for AVOIDED costs

Approx. Cost of Compliance

Respondent City of tele Center Case ID No. 48000 Reg. Ent. Reference No. 88103195870 Model [Statute] Weter Quality Enf. Coordinator Chitatonere Soct Violation Number Rule Cite(s) Falled to properly dispose of gladge, as decumented during an investigation conducted on October 31, 2013. Specifically, several pies of gladge, removed from the Imhoff tarks, were scattered on the ground at the waterwater treatment area. Percent OR Actual Potential Property and Human Health Matrix Falled to Major Moderate Minor OR Actual Potential Property and Human Health Matrix Falled to Major Moderate Minor OR Actual Potential Pote	Respondent		Docket No. 2014-0019-MLM-E	PCW
Reg. Ent. Reference No. RNI00318570 Media [Statute] Water Quality Enf. Coordinator Cortecopner Bots Violation Number 4 30 Tex. Admin. Code § 312.4(e) and TCEQ Permit No. WQ0010030001, Shudge Provisions	Case ID No	Agner		Policy Revision 3 (September 2011)
Media [Statute] Water Quality Enf. Coordinator (Confiscolors 8cst Violation Number 4 Rule Cite(s) 30 Tex. Admin. Code § 312.4(e) and TCEQ Permit No. WQ0010030001, Sludge Provisions Failed to properly dispose of sludge, as documented during an investigation conducted on October 31, 2013. Specifically, several piles of sludge, removed from the Irrhoff sans, were statemed on the ground at the westewater treatment area. **Base Penalty** **Section mental, Property and Human Health Matrix** **Harm **Normal Matrix** **Fournal Actual Potential Permit No. WQ0010030001, Sludge **Percent 5.0% **Percent 5	Reg. Ent. Reference No.	RN101918670		PCW Revision August 3, 2011
Enf. Coordinator Cortoper Bost Violation Number of Violation Property dispose of sludge, as documented during an investigation conducted on October 31, 2013. Specifically, several piles of sludge, removed from the Imhorit tanks, were scattered on the ground at the wastewater treatment area. Base Penalty \$22,000	Media [Statute]	Water Quality		
Violation Number Rule Cite(s) 30 Tex. Admin. Code § 332.4(e) and TCEQ Permit No. WQ0010030001, Sludge Provisions Failed to properly dispose of sludge, as documented during an invastigation conducted on October 31, 2013, Specifically, several piles of sludge, removed from the Imhorit tanks, were exactered on the ground at the wastewater treatment area. Base Penalty 425,000 Service and Property and Human Health Matrix Farm Note: Release Major Moderate Minor Release Major Moderate Minor Percent 5,0% >> Programmatic Matrix Release Major Moderate Minor Release Major Minor Minor Release Major Moderate Minor Release Major Minor Release Minor Release Major Minor Release Minor Release Major Minor Release Minor Release Minor Release Minor Release Minor Releas	Enf. Coordinator	Christopher Bost		
Violation Description Violation Description Falled to properly dispose of sludge, as documented during an investigation conducted on October 31, 2013, Specifically, several pies of sludge, removed from the Imhoff fanks, were scattered on the ground at the wassewater treatment are. Base Penalty 525,000 Servironmental, Property and Human Health Matrix Harm OR Actus Folsefication Moderate Minor Actus Folsefication Moderate Minor Percent 5.0% >>Programmatic Matrix Folsefication Moderate	Violation Number	4 1		
Violation Description Failed to properly dispose of sludge, as documented during an investigation conducted on October 31, 2013, Specifically, several piles of sludge, removed from the limbor tanks, were scattered on the ground at the westerwater treatment area.	Rule Cite(s)	20 Tov. Admin 6. J. C.		
Violation Description Falled to properly dispose of sludge, as documented during an investigation conducted on October 31, 2013. Specifically, several piles of sludge, removed from the Inviolation Exercise on the ground at the wastewater treatment area. Sase Penalty \$25,000		30 Tex. Admin. Code §	312.4(a) and TCEQ Permit No. WQ0010030001,	Sludge
Second Faith Efforts to Comply Statutory Early and Statutory Extraordinary Statutory Statutory Extraordinary Statutory			Provisions	
Second Faith Efforts to Comply Statutory Early and Statutory Extraordinary Statutory Statutory Extraordinary Statutory				
Second Faith Efforts to Comply Statutory Early and Statutory Extraordinary Statutory Statutory Extraordinary Statutory		Falled to properly disp	ose of sludge, as documented during an investig	ation
See Penalty \$25,000	Violation Description	conducted on October 31,	2013. Specifically, several piles of sludge remo	und from
>> Environmental, Property and Human Health Matrix Release Mojor Human Wolderste Minor Potential Percent 5.0% >> Programmatic Matrix Polatication Mojor Moderate Minor Polatication Mojor Moderate Minor Polatication Mojor Moderate Minor Percent 0.0% **Luman health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation. **Adjustment 323,750 **Station Events** Number of Violation Events 1		the Imhoff tanks, were so	attered on the ground at the wastewater treatme	ent area,
>> Environmental, Property and Human Health Matrix Release Mojor Human Wolderste Minor Potential Percent 5.0% >> Programmatic Matrix Polatication Mojor Moderate Minor Polatication Mojor Moderate Minor Polatication Mojor Moderate Minor Percent 0.0% **Luman health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation. **Adjustment 323,750 **Station Events** Number of Violation Events 1				
>> Environmental, Property and Human Health Matrix Release Mojor Human Wolderste Minor Potential Percent 5.0% >> Programmatic Matrix Polatication Mojor Moderate Minor Polatication Mojor Moderate Minor Polatication Mojor Moderate Minor Percent 0.0% **Luman health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation. **Adjustment 323,750 **Station Events** Number of Violation Events 1				
Release Major Harm Actual X Percent 5.0% >>Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Major Moderate Minor Percent 0.0%				Penalty \$25,000
Release Major Harm Actual X Percent 5.0% >>Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Major Moderate Minor Percent 0.0%	>> Environmental, Properl	ty and Human Healt)	Matrix	
Seconomic Benefit (EB) for this violation Septendia		Harm		
>> Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Matrix Notes Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation. Adjustment \$23,750 Violation Events Number of Violation Events 1 \$3 Number of violation days daily weestly monthly devices 3 years and a series of the violation Base Penalty \$1,250 One quarterly event is recommended from the investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply. One quarterly event is recommended from the investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply. One quarterly event is recommended from the investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply. Ordinary N/A x (Onest with 3) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125	~ ~	major moderate	1	
>>Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation. Adjustment \$23,750 Violation Events Number of Violation Events 1 \$3 Number of violation days daily weekly monthly violation Base Penalty \$1,250 One quarterly event is recommended from the Investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply 0.09% Reduction Serve Nov Nov to EDPRYSettlement Offs Extraordinary Ordinary NA X (mark with x) Notes The Respondent does not meet the good faith criteria for this violation Statutory, Limit Test Estimated EB Amount 1 \$14 Violation Final Penalty Total 51,125 This violation Final Assessed Penalty (adjusted for limits) 51,125				
Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation. Adjustment \$23,750\$ Violation Events Number of Violation Events 1 53 Number of violation days deliv when x quarrenty x semialanual annual single event 1				
Number of Violation Events Salary Semilarity Statutory Limit Test				
Matrix Notes Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation. Adjustment \$23,750 \$1,250 Violation Events Number of Violation Events 1 53 Number of violation days daily weekly monthly weekly semianual single event 1 semianual single event 1 semianual single event 1 series and the first semianual semianual single event 1 series and the first semianual single event 1 series and the first semianual semianual single event 1 semianual semianual single event 1 semianual semianual single event 23, 2013). Good Faith Efforts to Comply 0.0.0% Reduction 1 series and the first semianual semian	Falsification	Major Moderate	Minor	
Notes Statutory Limit Test Statutory Limi	<u> </u>		Percent 0.0%	
Notes Statutory Limit Test Statutory Limi				
Notes Statutory Limit Test Statutory Limi	Human health o	or the environment has bee	n exposed to insignificant amounts of sell-to-	
Violation Events Number of Violation Events Adjustment \$\frac{\pmaintoneq \text{4}}{\pmaintoneq \text{4}} \text{4} \text{53} \text{Number of violation days} \[\frac{\pmaintoneq \text{4}}{\pmaintoneq \text{4}} \text{4} \text{Violation Base Penalty} \text{51,250} \] One quarterly event is recommended from the investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply Ordinary Ordinary N/A Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Statutory Limit Test Estimated EB Amount \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125	Matrix not exceed leve	els that are protective of hu	man health or environmental recentors as a res	which do
Violation Events Number of Violation Events Number of Violation Events Violation Base Penalty St.,250	. Hotes		violation.	it of the
Violation Events Number of Violation Events Number of Violation Events Violation Base Penalty St.,250	L.			
Violation Events Number of Violation Events Number of Violation Events Violation Base Penalty St.,250		。 《图·第4.分析表示》語:	STANDS CONTROL OF A BENING CO.	13.3 3551
Number of Violation Events Number of Violation Events 1		The second of th	A Section of the Application of	\$23,750
Number of Violation Events Number of Violation Events 1				\$1,250
Number of Violation Events 1 53 Number of Violation days daily	Violation Evente	Selection (Programme)	en de la companya de	1-7-3
daily weekly monthly quarterly weekly monthly quarterly x yolation Base Penalty \$1,250	VIOLUTION LACTURE CONTRACTOR		3강 시간물병 - 기사진물회의 논란화가 하지 않아니다.	
Mark only one with an x Meety monthly quarterly weekly monthly quarterly x weekly monthly quarterly x x with an x semilanual single event	Number of Vi	olation Events 1	F2 Shumbon of chalasting	
Mark only one with an x Wiolation Base Penalty \$1,250			I 53 Inditiber of Violation da	iys
Mark only one with en x Semiannual sangual	· · · · · · · · · · · · · · · · · · ·	dally	1	
One quarterly event is recommended from the investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply Ordinary Ordinary Ordinary N/A Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Statutory Limit Test Estimated EB Amount This violation Final Assessed Penalty (adjusted for limits) \$1,1250	(*)	weekly		
Quarterly semiannual single event One quarterly event is recommended from the investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply 0.0% Reduction	mark only one	The second secon		
One quarterly event is recommended from the investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply O.0% Reduction Before NOV NOV to EDPRE/Settlement Offer Extraordinary Ordinary N/A × (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125			Violation Base I	Penalty \$1,250
One quarterly event is recommended from the investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A × (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits)		the state of the s		-
One quarterly event is recommended from the investigation date (October 31, 2013) to the screening date (December 23, 2013). Good Faith Efforts to Comply				
Good Faith Efforts to Comply O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125	1	amgle everify [<u>J</u>	
Good Faith Efforts to Comply O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125				
Good Faith Efforts to Comply O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125	One quarter	ly event is recommended fr	om the investigation date (October 31, 2013) to	the
Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125		screening da	te (December 23, 2013).	
Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125	معالات والمنافع المنافع			
Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125	Good Faith Efforts to Compl		Reduction	\$0
Ordinary N/A	r.		NOV to EDPRP/Settlement Offer	2 17 17 18 18 1
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125	С,	·		
The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$1,250				
this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125		N/A X	(mark with x)	
this violation. Violation Subtotal \$1,250 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125	•	The Respond	ent does not meet the good faith criteria for	•
Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125		Notes	this violation.	
Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125				
Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125			Violatia- o-	htatal
Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1.125	A CONTRACTOR OF THE STATE OF TH	w		\$1,250
Estimated EB Amount \$14 Violation Final Penalty Total \$1,125 This violation Final Assessed Penalty (adjusted for limits) \$1,125	conomic Benefit (EB) for th	ils violation	Statutory Limit To	est
This violation Final Assessed Penalty (adjusted for limits) \$1,125			S	
This violation Final Assessed Penalty (adjusted for limits) \$1,125	cacillated	rr winount	\$14] Violation Final Penalty	Total \$1,125
\$1,125		This viol	ation Final Assessed Penalty (adjusted for t	Imite)
			Assessed Femalty (adjusted for)	\$1,125

Respondent City of Hale Center Case ID No. 48080 Reg. Ent. Reference No. RN101918670 Media Water Quality Violation No. 4

Percent Interest Years of Depreciation

0

15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount Item Description No commas or \$

Del	а١	ı	Н	Co	sts

Equipment
Buildings
Other (as needed)
Engineering/construction
Land
Record Keeping System
Training/Sampling
Remediation/Disposal
Permit Costs
Other (as needed)

			0.00	\$O	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	n/a n/a	\$0
			0.00	\$0	n/a	\$0
			0.00	\$0	n/a	\$0
			0.00	\$0	n/a	\$0
			0.00	\$0	n/a	\$0
\$300	31-Oct-2013	27-Sep-2014	0.91	\$14	aran en/a.a-e a	\$14

Notes for DELAYED costs

Estimated cost to remove and properly dispose of sludge from the Facility grounds and to implement procedures to properly dispose of waste. Date required is the investigation date and the final date is the estimated date of compliance.

Avo	id	arl (`~	ctc
AVU	:U	eu (

Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avolded costs [3] Other (as neaded)

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
	0.00	\$0	\$0	\$0			
	0.00	\$0	\$0	\$0			
	0.00	\$0	\$0	\$0			
	0.00	\$0	\$0	\$0			
	0.00	\$0	\$0	\$0			
	0.00	\$0	\$0	\$0			
	0,00	\$0	\$0	\$0			

Notes for AVOIDED costs

Approx. Cost of Compliance \$3

TOTAL \$14

Screening Date	23-Dec-2013	Docket No. 2014-0019-MLM-E	PCW
Kespondent	City of Hale Center		Ision 3 (September 2011)
Case ID No. Reg. Ent. Reference No.			N Revision August 3, 2011
Media [Statute]	Water Outline		
Enf. Coordinator	Christopher Post		
Violation Number	5		
Rule Cite(s)		Code § 305.125(1) and TCEQ Permit No. WQ0010030001,	
		Monitoring Requirements No. 5	
			-
	Falled to accurately o	alibrate all automatic flow measuring or recording devices and	1
	all totalizing meters t	or measuring flows by a trained person at Facility start-up and	
Violation Description	as often thereafte	or as necessary to ensure accuracy, but not less often than	
	Specifically, as docume	ented during an investigation conducted on October 31, 2013. meter installed within a vault on the influent conveyance line	:
in the second se	north o	of the facultative lagoon had not been calibrated.	
			:
•			<u></u>
		Base Penalt	\$25,000
>> Environmental, Proper			
Release		rm erate Minor	
OR Actual	11000	THE PHOT	
Potential		x Percent 3,0%	:
Paramanan at a second	A NATIONAL CONTRACTOR OF THE C		
>>Programmatic Matrix Falsification	Major Mode	ALL STATE OF THE S	
	Major Mode		
		Percent 0.0%	
Human honith	or the equipment		7
Matrix Which would no	i or the environment v it exceed levels that a	vili or could be exposed to insignificant amounts of pollutants re protective of human health or environmental receptors as a	:
Notes	To the second se	result of the violation.	
L			
e i Tarak awa je kasariya	grand dayon i bari	Adjustment \$24,250	- 3
		Adjustment \$24,250	
			\$750
Violation Events			
Number of Vi	olation Events 1		
;	oracion events 1	16 Number of violation days	
: I:	daily		
	weekly		
mark only one	monthly		
with an x	quartérly semiannual	Violation Base Penalty	. \$750
Exercise Services	annual		***************************************
	single event x		
	L	And Conference of the Conferen	
	One s	Ingle event is recommended,	
Good Faith Efforts to Compl		.0% Reduction	\$0
F	Before xtraordinary	NOV NOV to EDPRP/Settlement Offer	
	Ordinary		
	N/A x	(mark with x)	
	Notes Ne Res	spondent does not meet the good faith criteria for this violation,	
	L	cins violation!	
		Violation Subtotal	Labra
Franchia Banasii /enve	o lita alie II e kreliko a beni biskib.	tan da anti-	\$750
Economic Benefit (EB) for th	ne violation.	Statutory Limit Test	
Estimated	EB Amount	\$861 Violation Final Penalty Total	\$675
	This	s violation Final Assessed Penalty (adjusted for limits)	
			\$675]

Respondent City of Hale Center Case ID No. 48080 Reg. Ent. Reference No. RN101918670 Media Water Quality Percent Interest Depreciation Violation No. 5 15 5.0 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs **EB** Amount Item Description No commas or \$ **Delayed Costs** Equipment 0.00 Buildings 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 \$0 \$0 Engineering/construction 0.00 \$0 \$0 \$0 Land 0.00 \$0 n/a \$0 Record Keeping System 0.00 \$0 n/a \$0 Training/Sampling 0.00 \$0 n/a \$0 Remediation/Disposal 0.00 \$0 n/a Permit Costs 31-Oct-2013 27-Sep-2014 0.91 n/a Other (as needed) Estimated cost to calibrate the flow meter. Date required is the investigation date. Final date is the Notes for DELAYED costs estimated date of compliance, ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** Disposal 0.00 \$0 Personnel 0,00 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 Supplies/equipment 0,00 \$0 \$0

Financial Assurance [2] 0,00 \$0 \$0 \$0 ONE-TIME avoided costs [3] 0.00 \$0 Other (as needed) Estimated avoided cost to calibrate the flow meter. Date required is the date the flow meter was installed Notes for AVOIDED costs and the final date is the Investigation date.

\$1,100 Approx. Cost of Compliance TOTAL \$861

Scre	eening Date Respondent	23-Dec-2013	***	Do	ocket No. 2	014-0019-MLM-E	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	PCW
	Case ID No.	48080	iter					(September 2011)
Reg. Ent. Re							PCW Revisi	on August 3, 2011
Medi	ia [Statute]	Water Quality						\$
Enf. (Coordinator		st					
Viol	lation Number Rule Cite(s)	6 1						
	Kuje Cite(s)	30 Tex. A	dmin. Code WQ00100:	§§ 305.125(1 30001, Monito) and 319,5(b oring Requirem) and TCEQ Permit ents No. 1	t No.	
Violatio	on Description	Respondent fa	investigation lled to collect nd ("BOD5")	i conducted or t and analyze and pH for th	n October 31, effluent samn	the permit, as doc 2013. Specifically les for five-day bio periods ending Oct	, the	
						Bas	se Penalty	\$25,000
>> Environme	ntal, Properi	y and Huma	n Health Harm	Matrix .				
OR	Release	Major	Moderate	Minor				
OK.	Actual Potential	. x						*
	ı	······································			Pt	ercent 15.0%		
>>Programma	tic Matrix Falsification	Major	Moderate	Minor				
Paul V					Pe	ercent 0.0%		
								•
Matrix Notes	Human healt which would e	h or the environ	at are protect	could be expo tive of human of the violati	າ health or env	ant amounts of po Ironmental recept	ellutants ors as a	
				MEGALITY (S. S.	Adine	ment	\$21,250	
		•		, , , , ,	Fredire	e	\$Z1,Z3U	
in the second of	. •							\$3,750
Violation Event	S	radio destrib						
	Number of Vid	lation Events	6	Ē	169 Nu	mber of violation o	days	
	mark only one with an x	dally weekly monthly quarterly semilannual	X	1		Violation Base	Penalty	\$22,500
v.		annual single event						
· .								
		Si	x monthly ev	ents are reco	mmended.			
Good Faith Effor	ts to Compl	<i>f</i> : 23%	0.0% 🕏	eduction				\$0
,	E>	traordinary	Before NOV N	OV to EDPRP/Se	ttlement Offer	ment : 1969년 1월 2일 1일	SSSS CONTRACTOR	40
		Ordinary						:
		N/A	x (n	nark with x)				
		Notes	ie Responder		eet the good f olation.	aith criteria for		
						Violation S	Subtotal	\$22,500
Economic Benefi	t (EB) for th	is violation			Sta	tutory Limit	Гest	
	Estimated I	EB Amount		\$707		tion Final Penal		\$20,250
		ale Seria e di 1980	This violat	ion Final As	sessed Pena	Ity (adjusted for	limits)	\$20,250
	e des assertants	alan a matal tahungk	u toeralatelejällejä		CHAIRFINE		HANGE TO SE	

Respondent City of Hale Center

Case ID No. 48080

Reg. Ent. Reference No. RN101918670

Media Water Quality

Violation No. 6

. Years of Percent Interest Depreciation

5.0

15 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount Item Description No commas or \$

Delayed Costs

Equipment Buildings Other (as needed) Engineering/construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed)

			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	n/a	\$0
			0.00	\$0	n/a	\$0
\$250	31-Oct-2013	27-Sep-2014	0.91	\$11	n/a	\$11
			0.00	\$0	n/a	\$0
			0.00	\$0	n/a n/a	\$0
			0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to update the Facility's operational guidance and to conduct employee training (\$250) to ensure that effluent and groundwater samples are monitored at the frequency specifed in the permit. Date required is the investigation date. Final date is the estimated date of compliance.

Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)

ANNUALI	ZE [1] avoided	costs before e	nterin	ig item (except i	for one-time avoic	ded costs)
			0.00	· \$ 0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
\$650	31-Oct-2012	30-Apr-2013	1.41	\$46	\$650	\$696
			0.00	\$0	\$0	\$Q

Notes for AVOIDED costs

Estimated cost to perform the sample analysis for BOD5 and pH. Date required is the date of the first noncompliance and the final date is the last day of the last month of the non-compliance.

Approx. Cost of Compliance	\$900	TOTAL	\$707

PCW ion 3 (September 2011) Revision August 3, 2011	City of Hale Center Policy Revision 48080	Screening Date Responden Case ID No g. Ent. Reference No	Pos
	Water Quality	Media [Statute] Enf. Coordinato Violation Numbe	iveg.
	30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 8	Rule Cite(s	
	Failed to submit the results of the annual soil sample analysis to the TCEQ at the intervals specified in the permit, as documented during an investigation conducted on October 31, 2013. Specifically, the results of the annual soil sample analyses for 2013 were not submitted to the TCEQ Lubbock Regional Office by the end of September 2013.	Violation Description	
\$25,000	Base Penalty		
•	y and Human Health Matrix Harm	ivironmental, Prope	>> Env
	Major Moderate Minor Percent 0.0%	Release Actua Potentia	OR
	Major Moderate Minor	ogrammatic Matrix Falsification	>>Prog
	Major Moderate Minor x Percent 2,5%	Taismostori	
	At least 50% of the permit requirement was not met.	Matrix Notes	
,	1948年 19		
\$625			٠
	in the first of the first of the control of the second of the second of the second of the second of the second The second of the second of	ion Events	Violatio
	olation Events 1 365 Number of violation days	Number of V	
	daily:		
\$625	monthly quarterly Violation Base Penalty Semiannual	mark only one with an x	
	annual single event x		
	One single event is recommended.		
		aith Efforts to Comp	oska es
\$0	Y 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer xtraordinary		good ra
:	Ordinary		
	N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for		
	Notes this violation.		
\$625	Violation Subtotal		
		nic Benefit (EB) for t	Economi
\$563	EB Amount \$13 Violation Final Penalty Total	Estimate	
\$563	This violation Final Assessed Penalty (adjusted for limits)		

Respondent City of Hale Center
Case ID No. 48080
Reg. Ent. Reference No. RN101918670
Media Water Quality
Violation No. 7

Item Cost Date
Them Description No company of the

Percent Interest Years of Depreciation 5.0 15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount

Item Description No commas or \$

Delayed Costs

Equipment
Buildings
Other (as needed)
Engineering/construction
Land
Record Keeping System
Training/Sampling
Remediation/Disposal

4			_		•	
	1		0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	a n/a	\$0
\$30	30-Sep-2013	27-Sep-2014 27-Sep-2014	0.99	\$1	n/a	\$1
\$250	31-Oct-2013	27-Sep-2014	0.91	\$11	n/a	\$11
			0.00	\$0	⇒ ⊃n/a ∴	\$0
			0.00	\$0	n/a	\$0
			0.00	\$0	โกล กั∕ล	\$0

Notes for DELAYED costs

Estimated cost to submit the soil monitoring results to the TCEQ. Date required is the date the results were due and the final date is the estimated date of compliance. Training cost is the estimated amount to update operational procedures to ensure that soil monitoring results are submitted at the intervals specified in the permit. Date required is the investigation date. Final date is the estimated date of compliance.

Avoided Costs

Permit Costs Other (as needed)

Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
	0.00	\$0	\$0	\$0		
	0.00	\$0	\$0	\$0		
	0.00	\$0	\$0	\$0		
	0,00	\$0	\$0	\$0		
	0.00	\$0	\$0	\$0		
	0.00	\$0	\$0	\$0		
	0.00	¢Λ	¢n.	40		

Notes for AVOIDED costs

Approx. Cost of Compliance \$280

TOTAL \$13

Screening Date Respondent	23-Dec-2013 City of Hale Center	Do	cket No. 2014-0019-MLM-E	PCW evision 3 (September 2011)
Case ID No. Reg. Ent. Reference No. Media [Statute] Enf. Coordinator Violation Number	48080 RN101918670 Water Quality Christopher Bost			CW Revision August 3, 2011
Rule Cite(s)		e § 309.13(c)(1) and Provision	TCEQ Permit No. WQ0010030001, Spec s No. 21	lal
Violation Description	150 feet from priv during an investiga	rate water wells to the atlon conducted on Oc	ents of a minimum horizontal distance o land application area, as documented tober 31, 2013. Specifically, two water et of the land application area.	ll .
			Base Penal	ty \$25,000
>> Environmental, Proper	Ha	arm	·	
OR Actual	Major Mod x	erate Minor	Percent 15.0%	
>>Programmatic Matrix				
Falsification	Major · Mod	erate Minor	Percent 0.0%	
Matrix Notes Human health that are pi	rotective of human hea	rill or could be expose aith or environmental	d to pollutants which would exceed leve receptors as a result of the violation. Adjustment \$21,25	
was accepted and the regions of	t we have	•		\$3,750
Violation Events Number of V	iolation Events	2	53 Number of violation days	ly
mark only one with an x	daily weekly monthly x quarterly semlannual åthhual single event		Violation Base Penalt	y \$7,500
Two monthly	/ events are recommer screen	nded from the investi ling date (December 2	gation date (October 31, 2013) to the (3, 2013).	
Good Faith Efforts to Comp	Before	0.0% Reduction. NOV NOV to EDPRP/Sel	tlement Offer	\$0
	Extraordinary Ordinary N/A x	(mark with x)		
		espondent does not m	eet the good faith criteria for lation.	
	The Control of Control		Violation Subtota	\$7,500
Economic Benefit (EB) for t			Statutory Limit Test	
Estimated	I EB Amount	\$465	Violation Final Penalty Total	
n in die gewegen verboeg die gestate werden van de se	Thi	is violation Final As	sessed Penalty (adjusted for limits)	\$6,750

Respondent City of Hale Center Case ID No. 48080 Reg. Ent. Reference No. RN101918670 Percent Interest Depreciation Media Water Quality Violation No. 8 5.0 15 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs **EB Amount** Item Description No commas or \$ **Delayed Costs** Equipment \$0 \$0 Buildings 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 \$0 \$0 Engineering/construction \$5,000 31-Oct-2013 28-Feb-2015 1.33 \$443 \$22 \$465 Land \$0 n/a \$0 Record Keeping System 0.00 \$0 \$0 n/a \$0 \$0 Training/Sampling 0.00 n/a Remediation/Disposal 0.00 \$0 \$0 \$0 n/a Permit Costs 0.00 \$0 n/a 0.00 Other (as needed) Estimated cost to ensure that the required buffer zone distance of 150 feet from the private water wells is Notes for DELAYED costs met. Date required is the investigation date and the final date is the estimated date of compliance. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** Disposal 0.00 \$0 \$0 Personnel 0.00 \$0 \$0 Inspection/Reporting/Sampling \$0 \$0 Supplies/equipment 0.00 \$0 \$0 \$0 Financial Assurance [2] 0.00 \$0 \$0 \$0 ONE-TIME avoided costs [3] 0.00 \$0 \$0 Other (as needed) Notes for AVOIDED costs

\$5,000

Approx. Cost of Compliance

TOTAL

\$465

Screening Date 23-Dec-2013 Docket No. 2014-0019-MLM-E Respondent City of Hale Center Policy Revision 3 (September 2011) Case ID No. 48080 PCW Revision August 3, 2011 Reg. Ent. Reference No. RN101918670 Media [Statute] Water Quality Enf. Coordinator Christopher Bost Violation Number Rule Cite(s) 30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 9 Falled to properly report groundwater monitoring events in accordance with the Groundwater Monitoring Plan approved on January 17, 2006, as documented during an investigation conducted on October 31, 2013. Specifically, the groundwater monitoring reports for March and September 2011, March and September 2012, and March 2013 were not submitted to the TCEQ Lubbock Regional Office and the Water Quality Assessment Team and the report for March 2013 was not timely Violation Description submitted to the Compliance Monitoring Section; the reports for March and September 2011, March and September 2012, and March 2013 did not include water level measurements, copies of the laboratory reports, quality assurance/quality control information, a potentiometric surface map, or analysis of the results; and the groundwater monitoring report for September 2013 was not available for review. Base Penalty \$25,000 >> Environmental, Property and Human Health Matrix Harm Release Major Moderate OR Actual Potential Percent 0.0% >>Programmatic Matrix Falsification Major Moderate Minor Percent 2.5% Matrix Between 30%-70% of the rule requirement was not met. Notes Adjustment \$24,375 \$625 Number of Violation Events Number of violation days daily weekly: monthly mark only one quarterly Violation Base Penalty \$3,750 with an x semiannual annual single event Six single events are recommended, one for each report. Good Faith Efforts to Comply O OO PARAMETER A PROPERTY A SHOP OF THE

good therein minority collectivity and appropriate	0.0 % Reduction			\$0
		PRP/Settlement Offer	-	
Extraordinary				
Ordinary				
N/A	X (mark with	x)		
Notes	The Respondent does i t	not meet the good faith criteri his violation.	e for	

			Violation Subto	tal \$	3,750
Economic Benefit (EB)	for this violation	With the Report of the Control of th	Statute and the state of	gagitada sar yar	4

Estimated EB Amount \$351 Violation Final Penalty Total \$3,37

Respondent City of Hale Center Case ID No. 48080 Reg. Ent. Reference No. RN101918670 Percent Interest Depreciation Media Water Quality Violation No. 9 15 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs **EB** Amount Item Description No commas or \$ **Delayed Costs** \$0 \$0 Equipment 0.00 Buildings \$0 \$0 \$0 0.00 Other (as needed) 0.00 \$0 \$0 Engineering/construction 0.00 \$0 \$0 Land 0.00 \$0 n/a" \$0 Record Keeping System \$0 \$0 0,00 n/a Training/Sampling 0.00 \$0 Remediation/Disposal 0.00 \$0 \$0 Permit Costs 0.00 \$0 n/a Other (as needed) 0.00 Notes for DELAYED costs See economic benefit for violation no. 6. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** Disposal 0.00 \$0 Personnel 0.00 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 Supplies/equipment 0.00 \$0 \$0 \$0 Financial Assurance [2] 0.00 \$0 \$0 \$0 0.00 3.42 ONE-TIME avoided costs [3] \$0 \$51 \$0 \$351 Other (as needed) Estimated cost to prepare and submit groundwater monitoring reports (\$50 per report x 6 reports). Date Notes for AVOIDED costs required is the date the first report was due. Final date is the date the last report was due.

\$300

TOTAL.

\$351

Approx. Cost of Compliance

	Screening Date Respondent Case ID No.	: City of Hale Center	Doc	ket No. 2014-0019-MLM-E	PCV Policy Revision 3 (September 20)	
Reg.	Ent. Reference No. Media [Statute] Enf. Coordinator	RN101918670 Water Quality Christopher Bost			PCW Revision August 3, 20	11
	Violation Number Rule Cite(s)	<u> </u>	30 Tex. Admin. Co	ode § 330.15(c)		
·	Violation Description	documented durin	g an investigation condu	al of municipal solid wasté ("MS icted on October 31, 2013. Spi vas disposed of on the Facility g	ecifically.	
				Base	Penalty \$25,0	00
>> Env	vironmental, Proper Release	ł	Health Matrix Harm oderate Minor			
OR	Actual Potential		X	Percent 5.0%		
>>Prog	grammatic Matrix ; Falsification	Major Mo	oderate Minor			
	7 (13)	Thajor Me	July 1	Percent 0.0%		
	Matrix Notes Human health not exceed lev	or the environment i	has been exposed to ins ve of human health or er violation,	ignificant amounts of pollutants nvironmental receptors as a res	s which do bult of the	
• : :	See			Adjustment	\$23,750	
					\$1,2	<u> </u>
Violatio	on Events					
	Number of \	/iolation Events	1	53 Number of violation of	days	
	mark only one with an x	daily weekly monthly quarterly semiannual annual single event	×	Violation Base	Penalty \$1,2	<u>.</u>
	One quarte	erly event is recomme scree	ended from the investiga ening date (December 2	ation date (October 31, 2013) t 3, 2013).	o the	÷
Good Fa	aith Efforts to Comp	** ************************************	D.0% Reduction ore NOV NOV to EDPRP/Set x (mark with x)	tlement Offer	(A.S.A.) 4	0
		Notes	Respondent does not me this vic	eet the good faith criteria for lation.		
				Violation :	Subtotal \$1,25	0
conom	ic Benefit (EB) for I	his violation		Statutory Limit	Test	;
	Estimate	d EB Amount	\$91	Violation Final Pena	· · · · · · · · · · · · · · · · · · ·	5]
6.5			This violation Final As	sessed Penalty (adjusted fo	r limits) \$1,12	5

Economic Benefit Worksheet Respondent City of Hale Center Case ID No. 48080 Reg. Ent. Reference No. RN101918670 Percent Interest Depreciation Media Water Quality Violation No. 10 5.0 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs Ttem Description No commas or \$ **Delayed Costs** Equipment \$0 \$0 Buildings 0.00 \$0 \$0 \$0 \$0 Other (as needed)

Engineering/construction \$0 \$0 0.00 Land 0.00 n/a Record Keeping System 0.00 \$0 n/a Training/Sampling 0.00 \$0 n/a 31-Oct-2013 \$2,000 Remediation/Disposal 0.91 \$91 n/a Permit Costs \$0 n/a Other (as needed)

Notes for DELAYED costs

Estimated cost to remove and dispose of the MSW at an authorized facility. The date required is the investigation date and the final date is the estimated date of compliance.

Avoided Costs	ANNUALI	ZE [1] avoided	costs before e	ntering	item (except f	or one-time avoic	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel ·				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance

\$2,000

TOTAL \$91

Years of

EB Amount

\$0

\$0

\$0

\$0

\$0

\$0

\$91

\$0

15:

To request a more accessible version of this report, please contact the TCEQ Heip Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN600636609, RN101918670, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, CN600636609, City of Hale Center

Classification: HIGH

Rating: 0.00

or Owner/Operator: Regulated Entity:

RN101918670, CITY OF HALE CENTER

Classification: HIGH

Rating: 0.00

Complexity Points:

Repeat Violator: NO

08 - Sewage Treatment Facilities

CH Group: Location:

Approximately 2,640 feet south of Hale Center and 3,600 feet east of Interstate

Highway 27, Hale County, Texas

TCEQ Region:

REGION 02 - LUBBOCK

ID Number(s):

WASTEWATER PERMIT WQ0010030001

SLUDGE REGISTRATION 22435

Compliance History Period: September 01, 2008 to August 31, 2013

Rating Year: 2013

Rating Date: 09/01/2013

Date Compliance History Report Prepared: May 30, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 30, 2009 to May 30, 2014

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Jacquelyn Green

Phone: (512) 239-2587

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

3) If **YES** for #2, who is the current owner/operator?

N/A

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

5) If YES, when did the change(s) in owner or operator N/A occur?

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1 August 09, 2009

(765105)

Item 2 Item 3 October 28, 2011 October 10, 2012 (963960)(1036238)

Item 4

December 04, 2013

(1134190)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CITY OF HALE CENTER	§	
RN101918670	8	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2014-0019-MLM-E

I. JURISDICTION AND STIPULATIONS

On, the Texas Commission on Environmental Quality ("the	
Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcem	ent
action regarding the City of Hale Center ("the Respondent") under the authority of Tex. H	EALTH
AND SAFETY CODE ch. 361 and TEX. WATER CODE chs. 7 and 26. The Executive Director of	the
TCEQ, through the Enforcement Division, and the Respondent together stipulate that:	

- 1. The Respondent owns and operates a wastewater treatment facility and disposal site located approximately 2,640 feet south of Hale Center and 3,600 feet east of Interstate Highway 27 in Hale County, Texas (the "Facility").
- 2. The Facility involves or involved the management of municipal solid waste ("MSW") as defined in Tex. Health & Safety Code ch. 361.
- 3. The Facility is contiguous with, surrounds, or is near or adjacent to water in the state as defined in Tex. Water Code § 26.001(5).
- 4. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 5. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about December 11, 2013.
- 6. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

- 7. An administrative penalty in the amount of Sixty-Five Thousand Three Hundred Sixty-Three Dollars (\$65,363) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Water Code § 7.053. The Financial Assurance Section of the Commission's Financial Administration Division reviewed financial documentation submitted by the Respondent and determined that the Respondent is unable to pay all of the administrative penalty. Therefore, Sixty-Five Thousand Three Hundred Sixty-Three Dollars (\$65,363) of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
- 8. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 9. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 Tex. ADMIN. CODE § 70.10(a).
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

1. Failed to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures, in violation of 30 Tex. ADMIN. CODE § 305.125(5) and TCEQ Permit No. WQ0010030001, Operational Requirements No. 4, as documented during an investigation conducted on October 31, 2013. Specifically, the 201 Sunset Drive, 13th Street and J Avenue, High Line Road, and 600 East 1st Street lift stations are not equipped with a quick-connect plug-in to accept a backup power supply.

- 2. Failed to submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity, in violation of 30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0010030001, Operational Requirements No. 3.b, as documented during an investigation conducted on October 31, 2013. Specifically, two Imhoff tanks were abandoned and filled with soil. No closure plan was submitted prior to the closure of the treatment units.
- 3. Failed to submit the annual sludge report for the monitoring periods ending July 31, 2011, July 31, 2012, and July 31, 2013, in violation of 30 Tex. Admin. Code § 305.125(1) and (17) and TCEQ Permit No. WQ0010030001, Sludge Provisions, as documented during an investigation conducted on October 31, 2013. Specifically, the annual sludge report for the monitoring periods ending July 31, 2011, July 31, 2012, and July 31, 2013 were not submitted to the Compliance Monitoring Team of the Enforcement Division and the TCEQ Lubbock Regional Office by September 1 of each year.
- 4. Failed to to properly dispose of sludge, in violation of 30 Tex. Admin. Code § 312.4(a) and TCEQ Permit No. WQ0010030001, Sludge Provisions, as documented during an investigation conducted on October 31, 2013. Specifically, several piles of sludge, removed from the Imhoff tanks, were scattered on the ground at the wastewater treatment area.
- 5. Failed to accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows by a trained person at Facility start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually, in violation of 30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0010030001, Monitoring Requirements No. 5, as documented during an investigation conducted on October 31, 2013. Specifically, the flow meter installed within a vault on the influent conveyance line north of the facultative lagoon had not been calibrated.
- 6. Failed to monitor effluent at the intervals specified in the permit, in violation of 30 Tex. ADMIN. CODE §§ 305.125(1) and 319.5(b) and TCEQ Permit No. WQ0010030001, Monitoring Requirements No. 1, as documented during an investigation conducted on October 31, 2013. Specifically, the Respondent failed to collect and analyze effluent samples for five-day biochemical oxygen demand and pH for the monitoring periods ending October 31, 2012 through April 18, 2013.
- 7. Failed to submit the results of the annual soil sample analysis to the TCEQ at the intervals specified in the permit, in violation of 30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 8, as documented during an investigation conducted on October 31, 2013. Specifically, the results of the annual soil sample analysis for 2013 were not submitted to the TCEQ Lubbock Regional Office by the end of September 2013.

- 8. Failed to meet the buffer zone requirements of a minimum horizontal distance of 150 feet from private water wells to the land application area, in violation of 30 Tex. ADMIN. CODE § 309.13(c)(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 21, as documented during an investigation conducted on October 31, 2013. Specifically, two water wells were located within 10 feet of the land application area.
- 9. Failed to properly report groundwater monitoring events in accordance with the Groundwater Monitoring Plan approved on January 17, 2006, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 9, as documented during an investigation conducted on October 31, 2013. Specifically, the groundwater monitoring reports for March and September 2011, March and September 2012, and March 2013 were not submitted to the TCEQ Lubbock Regional Office and the Water Quality Assessment Team and the report for March 2013 was not timely submitted to the Compliance Monitoring Section; the reports for March and September 2011, March and September 2012, and March 2013 did not include water level measurements, copies of the laboratory reports, quality assurance/quality control information, a potentiometric surface map, or analysis of the results; and the groundwater monitoring report for September 2013 was not available for review.
- Failed to prevent the unauthorized disposal of MSW, in violation of 30 TEX. ADMIN. CODE § 330.15(c), as documented during an investigation conducted on October 31, 2013. Specifically, approximately 1,500 cubic feet of MSW was disposed of on the Facility grounds.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 7 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Hale Center, Docket No. 2014-0019-MLM-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, cease disposing of MSW on the Facility grounds.
 - b. Within 30 days after the effective date of this Agreed Order:
 - i. Provide adequate safeguards at all lift stations to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of adequately treated wastewater, in accordance with 30 Tex. ADMIN. CODE § 305.125(5) and TCEQ Permit No. WQ0010030001, Operational Requirements No. 4;
 - ii. Submit a plan and schedule for the closure of the two abandoned Imhoff tanks, in accordance with TCEQ Permit No. WQ0010030001, Operational Requirements No. 3.b, for review, possible modification, and approval. The plan and schedule shall be submitted to:

Municipal Permits Team Wastewater Permitting Division, MC 148 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

iii. Submit the annual sludge reports for the monitoring periods ending July 31, 2011 through July 31, 2013 to:

Compliance Monitoring Section Enforcement Division, MC 224 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Lubbock Regional Office Texas Commission on Environmental Quality 5012 50th Street, Suite 100 Lubbock, Texas 79414-3421

- iv. Update the Facility's operational guidance and conduct employee training to ensure that:
 - (1) Effluent is monitored at the intervals specified in the permit, in accordance with 30 Tex. ADMIN. Code §§ 305.125(1) and 319.5(b), and TCEQ Permit No. WQ0010030001, Monitoring Requirements No. 1;
 - (2) Self-reporting requirements are properly accomplished, including the timely submittal of annual sludge reports, in accordance with 30 Tex. Admin. Code § 305.125(11)(B) and (C) and TCEQ Permit No. WQ0010030001, Sludge Provisions;
 - (3) Soil and groundwater monitoring results are properly conducted and submitted at the intervals specified in the permit, in accordance with TCEQ Permit No. WQ0010030001, Special Provisions Nos. 8 and 9; and
 - (4) Implement procedures to properly dispose of sludge, in accordance with 30 TEX. ADMIN. CODE § 312.4(a) and TCEQ Permit No. WQ0010030001, Sludge Provisions.
- v. Remove and properly dispose of sludge and MSW from the Facility grounds and dispose of it at an authorized facility, in accordance with 30 Tex. Admin. Code § 312.4(a) and TCEQ Permit No. WQ0010030001, Sludge Provisions;
- vi. Accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows, in accordance with 30 Tex. ADMIN. CODE § 305.125(1) and TCEQ Permit No. WQ0010030001, Monitoring Requirements No. 5; and
- vii. Submit the annual soil sample analysis results for 2013 to the TCEQ, in accordance with 30 TEX. ADMIN. CODE § 305.125(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 8.
- c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the closure plan and schedule for the two abandoned Imhoff tanks within 30 days after the date of such requests or by any other deadline specified in writing.
- d. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provisions Nos. 2.a and 2.b, in accordance with Ordering Provision No. 2.g below.

- e. Within 180 days after the effective date of this Agreed Order, ensure that the required buffer zone distance of 150 feet from the private water wells is met, in accordance with 30 Tex. ADMIN. CODE § 309.13(c)(1) and TCEQ Permit No. WQ0010030001, Special Provisions No. 21.
- f. Within 195 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision No. 2.e, in accordance with Ordering Provision No. 2.g below.
- g. The written certifications of compliance required by Ordering Provisions Nos. 2.d and 2.f shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public, and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certifications shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with copies to:

Water Section Manager Lubbock Regional Office Texas Commission on Environmental Quality 5012 50th Street, Suite 100 Lubbock, Texas 79414-3421

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.

- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 7. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
For the Executive Director	8/8/16
For the Executive Director	Date
I, the undersigned, have read and understand the agree to the attached Agreed Order on behalf of the do agree to the terms and conditions specified the accepting payment for the penalty amount, is materially understand that failure to comply with the Complex	ne entity indicated below my signature, and I rein. I further acknowledge that the TCEQ, is erially relying on such representation.
I also understand that failure to comply with the C and/or failure to timely pay the penalty amount, n	ordering Provisions, if any, in this order nay result in:
A negative impact on compliance history;Greater scrutiny of any permit applications	
 Referral of this case to the Attorney General additional penalties, and/or attorney fees, or 	l's Office for contempt, injunctive relief, or to a collection agency:
 Increased penalties in any future enforcement 	ent actions;
 Automatic referral to the Attorney General's and 	s Office of any future enforcement actions;
 TCEQ seeking other relief as authorized by In addition, any falsification of any compliance doc 	
Signature	3/15/14 Date

Name (Printed or typed)
Authorized Representative of
City of Hale Center

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.

y Manager